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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,988	06/25/2003	Anthony J. Wasilewski	A9286	5349
5642	7590	05/08/2006		
SCIENTIFIC-ATLANTA, INC. INTELLECTUAL PROPERTY DEPARTMENT 5030 SUGARLOAF PARKWAY LAWRENCEVILLE, GA 30044			EXAMINER CHAI, LONGBIT	
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 05/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/602,988

Applicant(s)

WASILEWSKI ET AL.

Examiner

Longbit Chai

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application..
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Applicant's claim for benefit of domestic priority under 35 U.S.C. 119(e) is acknowledged.

The application is filed on 6/25/2003 but has a U.S. provisional application number 60/054,575 filed on 8/1/1997.

Double Patenting

2. The submission of Terminal Disclaimer to the pending reference application number 10/602,986 has been received on 4/11/2006 and has been entered and made of record.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraph of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Wasilewski (U.S. Patent 5,418,782).

As per claim 1 and 7, Unger teaches a method for providing a program in a conditional access system, the method comprising the steps of:

selecting a digital bit stream from a plurality of digital bit streams (Wasilewski: Figure 1 and Column 4 Line 58 – Column 5 Line 7);

encrypting the selected digital bit stream according to a first encryption method to provide a first encrypted stream (Wasilewski: Column 4 Line 65 – 67: one or more service components, such as video (V), audio (A), and data (CC) can be encrypted / or not-encrypted prior to transmission – i.e., any part of transport stream can be encrypted);

encrypting the selected digital bit stream according to a second encryption method to provide a second encrypted stream (Wasilewski: Column 4 Line 65 – 67: one or more service components, such as video (V), audio (A), and data (CC) can be encrypted / or not-encrypted prior to transmission – i.e., any part of transport stream can be encrypted);

multiplexing the first encrypted stream, the second encrypted stream, and the plurality of digital bit streams to provide a partially-encrypted stream (Wasilewski: Figure 1 Element 16 and Column 4 Line 65 – 67); and

transmitting the partially-encrypted stream (Wasilewski: Figure 1 Element 16 and Column 5 Line 4 – 15: by multiplexing the service component bit streams).

As per claim 2, Wasilewski teaches a portion of the selected digital bit stream is encrypted, wherein the encrypted portion and an unencrypted portion of the selected

digital bit stream are combined with the plurality of digital bit streams (Wasilewski: Column 4 Line 65 – 67, Figure 1 Element 16 and Column 5 Line 4 – 15: by multiplexing the service component bit streams).

As per claim 3, 6, 9 and 12, Unger teaches the selected digital bit stream includes a plurality of packets, and wherein each packet includes a packet identifier identifying whether the packet is at least one of a video stream, an audio stream, and a data stream (Wasilewski: Column 13 Line 57 – Column 14 Line 16 and Figure 1 Element 16).

As per claim 8 (and claims 4, 5, 10, 11 and 12), Unger teaches each of the plurality of elementary bit streams includes a plurality of packets, wherein each packet includes a packet header that is indicative of at least one of a video stream, an audio stream, and a data stream (Wasilewski: Column 13 Line 57 – Column 14 Line 16 and Column 4 Line 58 – 60).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 8:00am-4:00pm.

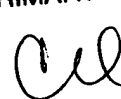
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Longbit Chai
Examiner
Art Unit 2131


LBC

CHRISTOPHER REVAK
PRIMARY EXAMINER

 5/4/06